IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 14736 of 2005

DATE OF DECISION: 18.12.2006

Gurpreet Kaur ....Petitioner.

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr.Veneet Sharma, Advocate
for the petitioner.

Mr.B.S. Chahal, AAG Punjab,
for the respondents.

J.S. Khehar, J. (oral)

Mr. B.S. Chahal, Assistant Advocate General, Punjab, on instructions from Dr. Kala Singh, Deputy District Education Officer (Elementary), Jalandhar, acknowledges, that the claim of the petitioner was not considered as a general category candidate.

It goes without saying, that all reserved category candidates are ipso facto eligible and entitled to be considered for appointment against general category posts, and as such, even though an application has been made against a reserved category post, the claim of such a candidate ought to be considered along with general category candidates.

In view of the above, the instant writ petition is allowed. The respondents are directed to consider the claim of the petitioner as a general category candidate within four weeks from today, and in case, the

petitioner's merit places him at a position higher than others, who have been selected and appointed from the general category candidate, then an offer of appointment be issued to him, within a further period of two weeks.

A copy of this order be furnished to the learned counsel for the respondents under the signatures of the Court Secretary attached to this Court.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

December 18, 2006.
vig